

April 5, 2002

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APR 09 2003

SUPREME COURT
P. O. Box 30052
Lansing MI 48909

OFFICE OF
THE CHIEF JUSTICE

RE: Comments on ADM File No. 2002-34
Court of Appeals Filing Deadlines

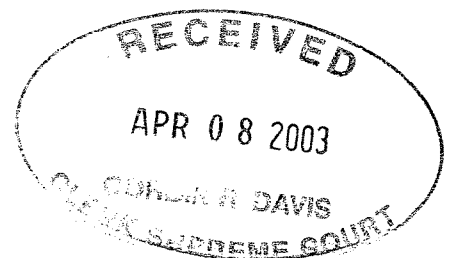
Please review my comments from that of a prisoner acting in pro per in an appeal of right as well as a member of the public. It would be an unfair hardship to cut the time period for appellate briefs for prisoners. If a prisoner is acting in pro per, he/she is limited to six (6) hours of library time per week. A adequate brief takes many hours to prepare. Less than 56 days is inadequate.

However a mandatory date for the Prosecution to file their appellee brief should be required. Consider my appeal that is pending (Court of Appeals #237040):

	Filing Date
Appeallate Brief	3/01/02
Appellee Brief	5/06/02
Reply Brief	5/19/02

Under existing rules, the Prosecutor's only penalty for untimely filing of the Appeellee Brief is loss of the right to oral argument. When the Appeallate, as in most prisoner case, waives oral argument, there is no sanction or reason for the Prosecutor to file a timely brief.

This needs to be addressed. The pleadings are not at issue until the reply brief is filed (if desired). The untimely filing of the appellee brief deprives the appeallate of a valuable right to reply.



Consider: if the Prosecutor delays until the submission of the case to the panel (or later) the right to file an effective reply brief is lost.

Please add a mandatory date for the submission of the Appellee brief. This would do more to speed up the appellate process than the proposed changes.

Respectfully,

A handwritten signature in cursive script, appearing to read 'Arthur Porter', written in dark ink.

Arthur Porter 339222
Brooks Correctional Facility
2500 S. Sheridan Rd.
Myskegon Hts MI 49444